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## FAX COVER LETTER

November 19, 2004

TO:

Examiner Van Doren

**COMPANY:** 

Commissioner for Patents

PHONE:

703/305-3882

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703/872-9306

FROM:

Craig J. Lervick

DIRECT DIAL:

(612) 607-7387

**EMAIL** 

CLervick@oppenheimer.com

RE:

U.S. Patent Application No. 09/520,943

Filed: March 8, 2000

fant Byrne

Our File No.: 60021/352501

## CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that the following document is being facsimile transmitted to the Patent and Trademark Office on November 19, 2004: 1) Transmittal Form, 2) Fee Transmittal, 3) Petition for One Month Extension and 4) Amendment and Response.

Janet Ryrne

11-19-2004 Data

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PTO/SB/21 (03-03)
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|   |  |

|   |                                   |                      | Application Number                                       | 09/520,943  |            |  |  |  |  |
|---|-----------------------------------|----------------------|--|---|------------|--|--|--|--|
| TRANSMITTAL   |                                   | Filing date          | March 8, 2000  |   |            |  |  |  |  |
| FORM  |                                   | First Named Inventor | Andrew E. Fano et al.                                    |   |            |  |  |  |  |
|   |                                   | Art Unit             | 3623   |   |            |  |  |  |  |
| ·   | correspondence afte               |                      | Examiner Name  | B. Van Doren  |            |  |  |  |  |
| Total Number of Pag   | gus in This Submissio             | 0                    | Attorney Docket Number                                   | 60021/352501  |            |  |  |  |  |
|   | ENCLOSURES (Check all that apply) |                      |  |   |            |  |  |  |  |
| Fee Transmittal Fe  | orm                               | Drawing(s)           |  | ☐ After Allowance Communic                          | ation to a |  |  |  |  |
| Fee attache   | 2) ks                             | Licensing-related    | d Papers   | Technology Center (TC)                              |            |  |  |  |  |
| ☑ Amendment/Reply   | ,  c                              | Petition             |  | Appeal Communication to B Appeals and Interferences | Board of   |  |  |  |  |
| ☐ After Final   |                                   | Petition to Conve    | ert to a Provisional Application                         | ☐ Appeal C  |            |  |  |  |  |
| ☐ Affidavits/   | dcclaration(s)                    | Power of Attorne     | ey, Revocation<br>espondence Address                     | (Appeal Notice, Brief, Reply Brief)                 |            |  |  |  |  |
| Extension of Time   |                                   | _                    | -  | Proprietary Information                             |            |  |  |  |  |
| □ Express ∧bandom   | ment Request                      | Terminal Disclai     |  | Status Letter                                       |            |  |  |  |  |
| Information Disclosure Statement  |                                   | Request for Refu     | Other Enclosure(s) please ide<br>below): Return Postcard | lentify   |            |  |  |  |  |
| Certified Copy of Document(s)   |                                   | cmarks:              |  |   |            |  |  |  |  |
| Response to Missi<br>Incomplete Applie  |                                   |                      |  |   | 9          |  |  |  |  |
| Response to Missi<br>37 CFR 1.52 or 1.  |                                   |                      |  | :   | ·          |  |  |  |  |
| Copy of the PTO F<br>(Rev. 9/97), Notice<br>Missing Parts of A<br>Filing Date Grant   | e to File<br>application          |                      |  |   |            |  |  |  |  |
| Executed Declarate of Attorney Docu   |                                   |                      |  |   |            |  |  |  |  |
| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED   |                                   |                      |  |   |            |  |  |  |  |
| Name (Print/Type) Craig Lervick   |                                   |                      |  |   |            |  |  |  |  |
| Signature Crand Fruit   |                                   |                      |  |   |            |  |  |  |  |
| Date November 19, 2004  |                                   |                      |  |   |            |  |  |  |  |
| CERTIFICATE OF TRANSMISSION/MAILING   |                                   |                      |  |   |            |  |  |  |  |
| I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313 on this date: November 19, 2004 |                                   |                      |  |   |            |  |  |  |  |
| Typed or printed  | Janet Byme                        |                      |  | 1   |            |  |  |  |  |
| Signature   | Dant                              | Bune                 | Date:  | 11-19-04  |            |  |  |  |  |
|   | - //                              | 1                    |  |   |            |  |  |  |  |

This collection of Information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.4. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents. Washington, DC 20231.

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| FEE TRANSMITTAL  |          | Complete if Known    |                |  |  |
|--|----------|----------------------|----------------|--|--|
|  |          | Application Number   | 09/520,943     |  |  |
| for FY 2004  |          | Filing Date          | March 8, 2000  |  |  |
|  |          | First Named Inventor | Andrew E. Fano |  |  |
| Patent fees are subject to annual revision.  Applicant Claims Small Entity |          | Examiner Name        | B. Van Doren   |  |  |
|  |          | Group Art Unit       | 3623           |  |  |
| TOTAL AMOUNT OF PAYMENT  | \$468.00 | Attorney Docket No.: | 60021-352501   |  |  |

|   | MF   | THOD OF F               | PAYME        | AYMENT FEE CALCULATION (continued) |                    |   |  |             |   |             |
|---|--|-------------------------|--------------|------------------------------------|--------------------|---|--|-------------|---|-------------|
| 1. X A                                    |  | to charge Indi          |              |                                    | 3. ADDITIONAL FEES |   |  |             |   |             |
| _   |  | _                       |              |                                    | Large Small        |   |  |             |   |             |
| Deposit                                   |  | 50-1901                 |              |                                    | l _                | Entity                                    | _  | Entity      | 1   |             |
| Acct No.                                  | <u> </u>   |                         |              |                                    | Fee<br>Code        | Fee<br>(\$)                               | Fee<br>Code  | Fee<br>(\$) | Fee Description                                     | Fee Paid    |
| Name:                                     |  | nheimer V               |              |                                    | 1051               | 130                                       | 2051   | (*)<br>65   | Surcharge - late filing fee or oath                 | 100700      |
|   |  | onnelly Ll              | <u>.r</u>    |                                    | 1051               | 50  | 2052   | 25          | Surcharge - late provisional filling fee            |             |
| _ x                                       | Charge A   | Any Add'i Fee           | Required     |                                    |                    | • • •                                     |  |             | or cover sheet                                      | 1           |
|   | Under 37   | CFR 1.16 an             | d 1.17       |                                    | 1053               | 130                                       | 1053   | 130         | Non-English specification                           | 1           |
|   |  |                         | •            |                                    | 1812               | 2,520                                     | 1812   | 2,520       |   | :           |
| 2   | - •  | t Enclosed:             |              |                                    | 1604               | 920*                                      | 1804   | 920*        |   | 1           |
|   | Check  | Credit                  |              |                                    | 1805               | 1.840*                                    | 1805   | 1840*       | Examiner action Requesting publication of SIR after |             |
| 4 BAS                                     | IC FILING  | FEE CALCU               | LATION       |                                    | 1803               | 1,040"                                    | 1003   | 1040        | Examiner action                                     | ,           |
| Large                                     | Small  | Fee descr               | notteh       | Fee Pald                           | 1251               | 110                                       | 2251   | 55          | Extension for reply within first month              | : \$110.00  |
| Fee                                       | Fee  |                         |              |                                    | 1252               | 430                                       | 2252   | 215         | Extension for reply within second month             |             |
| 790                                       | 395  | Utility filing fe       | e .          |                                    | 1253               | 880                                       | 2253   | 480         | Extension for reply within third month              | i           |
| 350                                       | 175  | Design filing           | fee          |                                    | 1254               | 1.630                                     | 2254   | 785         | Extension for reply within fourth month             |             |
| 550                                       | 275  | Plant filing fe         | e            |                                    | 1255               | 2.080                                     | 2255   | 1.040       | Extension for reply within fifth month              | Î           |
| 790                                       | 395  | Reissuu filing          | fee          |                                    | 1401               | 340                                       | 2401   | 170         | Notice of Appeal                                    | Ţ           |
| 160                                       | 80   | Provisional fi          | ling fee     |                                    | 1402               | 340                                       | 2402   | 170         | Filing a brief in support of an appeal              | · :         |
|   |  | SUBTOTA                 | AL (1)       | \$0.00                             | 1403               | 300                                       | 2403   | 150         | Request for oral hearing                            |             |
| 2. EXTRA CLAIM FEES                       |  | 1451                    | 1,510        | 1451                               | 1.510              | · -                                       |  |             |   |             |
| Pending                                   | Claima   | Extra Claims            | Fee          | Fee Paid                           |                    | •   |  |             | Petition to revive - unavoidable                    | 1           |
| Claims<br>Total 102                       | Pd.<br>B7  | 15                      | 18/9         | \$270.00                           | 1452               | 110                                       | 2452   | 55          | Lettiou to leave - mravorable                       |             |
|   | • •  |                         |              | ,                                  | 1453               | 1,370                                     | 2453   | 685         | Petition to revive - unintentional                  | 1           |
| ind. 4                                    | 3  | 1                       | 88/44        | \$88.00                            | 1501               | 1,370                                     | 2501   | 685         | Utility issue fee (or relssue)                      |             |
| ,   | វីបម្រើp <b>te De</b> po   | endent                  | 300/150      |                                    | 1502               | 49D                                       | 2502   | 245         | Design Issue fee                                    | 1           |
|   | •  |                         |              |                                    | 1503               | 660                                       | 2503   | 330         | Plant issue fee                                     |             |
| Large                                     | Small  |                         |              |                                    |                    |   |  |             |   |             |
| Entity                                    | Entity   | _                       | _            |                                    | 1460               | 130                                       | 1460   | 130         | Petillons to the Commissioner                       |             |
| Fee                                       | Fee  | <u>F</u>                | ee Desci     | ription                            | 1807               | 130                                       | 1807   | 130         | Processing fee under 37 CFR 1.17(q)                 | !           |
|   | (\$) (\$)  |                         | 1806<br>8021 | 180<br>40                          | 1808<br>8021       | 180<br>40                                 | Submission of Information Disclosure Stimt<br>Recording each patent assignment per | <u> </u>    |   |             |
| 18<br>88                                  | 18 9 Claims in excess of 20<br>88 44 Independent claims in excess of 3 |                         | 0021         | 70                                 | UUZ I              | -+∪                                       | property (times number of properties)  |             |   |             |
| 300 150 Multiple dependent claim          |  | 1809                    | 790          | 2809                               | 395                | Filing a submission after final rejection |  |             |   |             |
| 88  | 44   | <sup>⊷</sup> Reissue in |              | nt claims                          | 4845               | 700                                       | 2040   | 905         | (37 CFR 1.129(a))                                   | <del></del> |
| 4.0                                       | over original patent 18 9 → Reissue claims in excess of 20             |                         | 1810         | 790                                | 2810               | 395                                       | For each additional invention to be examined (37 CFR 1.129(b))                     | [ · .       |   |             |
| "   | •  | and over o              |              | 1                                  | 1801               | 790                                       | 2801   | 395         | Request for Continued Examination (RCE)             | ·           |
| l   |  |                         |              |                                    | 1802               | 800                                       | 1802   | 900         | Request for expedited examination                   | Ţ           |
|   |  |                         |              |                                    |                    |   |  |             | of a design application                             | <u>'</u>    |
| SUBTOTAL (2) \$358.00 Other fee (specify) |  |                         | Li-          |                                    |                    |   |  |             |   |             |
| **or numb                                 | er previous  | ly paid, if great       | : For Reis   | suas. 800 above                    | *Redu              | ced by B                                  | asic Fil   | ing Fee     | SUBTOTAL (3)  | \$110.00    |

| SUBMITTED BY |                  | Complete (if applicable) |                           |   |
|--------------|------------------|--------------------------|---------------------------|---|
| Name         | Craig J. Lervick | Registration No.: 35,244 | Telephone: (612) 607-7387 | i |
| Signature    | Conid L          | Date:                    | November 19, 2004         |   |
| -            |                  |                          |                           |   |